

# **General Permit to Operate and/or Construct a Gasoline Dispensing Operation**

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## **General Permit to Operate and/or Construct a Gasoline Dispensing Operation**

### **Section 1. Authority**

This General Permit is authorized by Rule 200 and Rule 230 of the Maricopa County Air Pollution Control Regulations pursuant to Section 49-480.J of the Arizona Revised Statutes. In that the Arizona Department of Environmental Quality has not issued a general permit for *Gasoline Dispensing Operations* in Maricopa County as defined herein, the Maricopa County Environmental Services Department (Department) is authorized to issue this General Permit.

### **Section 2. Definitions**

For the purposes of this General Permit, the following definitions shall apply:

- A. **“Approved Stage I Vapor Recovery System”** - Any vapor handling system which is approved in writing by the Control Officer at the time of installation and is capable of recovering and/or processing at least 90 percent of the Volatile Organic Compound (VOC) in *Gasoline Vapors* displaced from a *Dispensing Tank* during filling.
- B. **“Control Device”** - Any piping, hoses, equipment, and devices which are used to collect, store and/or process organic vapors at a service station or other operation handling *Gasoline* and/or other organic liquids.
- C. **“Delivery Vessel”** - Any vehicular-mounted container such as a railroad tank car, tanker truck, tank trailer or any other mobile container used to transport organic liquids.
- D. **“Dispensing Tank”** - Any stationary tank which dispenses organic liquid fuel directly into the fuel tanks of motor vehicles including aircraft.
- E. **“Gasoline”** - Any petroleum distillate, petroleum distillate/alcohol blend, petroleum distillate/organic compound blend, or alcohol having a *True Vapor Pressure* of 1.5 psia (77.5 mm/Hg) or greater under any actual conditions of storage and handling, and which is used as a fuel for internal combustion engines.
- F. **“Gasoline Dispensing Operation”** - All *Gasoline Dispensing Tanks* and associated equipment located on one or more contiguous or adjacent properties under the control of the same person (or persons under common control).
- G. **“Gasoline Vapors”** - Organic compounds in gas-phase *Gasoline* including displaced vapors and any entrained liquid gasoline.
- H. **“Leak Free”** - Having no organic liquid leak of more than three drops per minute from any single leak source, other than the disconnect operation of liquid fill line and vapor line.

- I. “Responsible Official”** - One of the following:
- 1) For a corporation: A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more operating facilities applying for or subject to a permit and the delegation of authority to such representatives is approved in advance by the Department;
  - 2) For a partnership or sole proprietorship: A general partner or the proprietor respectively;
  - 3) For a municipality or other public agency: Either a principal executive officer or ranking elected official.
- J. “True Vapor Pressure”** - Absolute vapor pressure of a liquid at its existing temperature of storage and/or handling.
- K. “Vapor Tight”** - A condition where no organic vapor leak equals or exceeds 100 percent of the lower explosive limit at a distance of one inch (2.5 cm) from a leak source when measured with a combustible gas detector or organic vapor analyzer, both calibrated with propane.

### **Section 3. Authorization Under this General Permit**

Any *Gasoline Dispensing Operation*, as defined in Section 2 of this General Permit shall be eligible for coverage under this General Permit if they meet the requirements as specified in Sections 4 and 5. However, if a *Gasoline Dispensing Operation* does not meet the provisions of Sections 4 and 5, they will be considered ineligible for coverage and may be required by the Control Officer to obtain an individual source permit.

- A. Authority to Operate (ATO) or Construct.** A facility must apply for an ATO from the Control Officer to be covered by the provisions of this General Permit
- B. Effective Date and Expiration Date of Authorization.** This General Permit shall be valid for five years after the date it is signed by the Control Officer. All ATOs issued under this General Permit expire on the same date that this General Permit expires regardless of when the ATO was issued. Any activity covered by this General Permit is authorized at the specified facility on the date the application is filed. The Control Officer will provide written notice of the expiration of this General Permit stating that the source must reapply for coverage. The Permittee may operate under the terms of this General Permit until the earlier of the date it submits a complete application for a new General Permit, or the filing deadline specified in the renewal notice sent by the Control Officer.
- C. Requirements to File an Application for an Individual Source Permit.**
- 1) Denial of an ATO: If the Control Officer notifies the Permittee that the application for coverage under the General Permit is denied, the applicant must file an individual source permit application within 180 days of receipt of the denial notice.
  - 2) Revocation of Authority to Operate: If an ATO has been issued and the Permittee is later notified by the Control Officer of the revocation of the authority to operate under

this General Permit because of expiration, termination, or cancellation, the Permittee must file an application for an individual source permit. The application for an individual source permit must be filed within six months of receiving the notice from the Control Officer. The Permittee may continue to operate under this General Permit until the earlier of:

- a) the date that it submits a complete application for an individual source permit, or
- b) the date 180 days after receipt of the notice of expiration, termination, or cancellation.

- D. Issuance of an Individual Source Permit.** If the Control Officer issues an Individual Source Permit authorizing the same activity that is authorized by an ATO issued under this General Permit, the ATO shall become null and void on the date that the Individual Source Permit is issued.

#### **Section 4. General Requirements**

- A. Compliance Required.** The Permittee shall comply with the conditions and provisions of this Permit, and all air quality requirements of the Federal regulations, State Rules, and Maricopa County Rules.
- B. Filing of an Application for an ATO.** Any facility that is eligible for this General Permit according to the requirements of Section 4 may apply for an ATO by completing the necessary application forms that are approved by the Control Officer. The application shall be completed, all necessary information provided, and the ATO application shall be signed by the responsible official before the application may be processed.

A source applying for an ATO under this Permit shall not propose nor accept pursuant to Rule 220 emission limitations, controls, or other requirements that are not included in this General Permit.

- C. Leased/Rented/Borrowed Equipment.** If the Permittee leases, rents, or lends the facility or any equipment covered by this General Permit to a second party, the Permittee shall provide the second party with a copy of this General Permit and ATO. It is the responsibility of the person using the facility and equipment to make sure that it is properly operated. If the Permittee does not provide the second party with a copy of this General Permit, both the Permittee and the second party shall be responsible for any violation of this General Permit.
- D. Modifications.** Before the Permittee makes additions, modifications or replacements that will effect the Stage I Vapor Recovery System(s) covered by this General Permit, a new ATO shall be obtained from the Control Officer before such new additions, modifications or replacements are installed or operated. This requirement does not apply to normal maintenance and repair activities.
- E. Pay Applicable Fees.** Sources applying for an ATO for this General Permit shall pay all fees to the Control Officer pursuant to Rule 280 of the Maricopa County Air Pollution Control Regulations, according to the following:

- 1) The applicant shall pay an application processing fee for a General Permit in full at the time the application for an ATO is submitted, according to the amounts specified in Rule 280. Permit fees paid shall not be refundable, except at the discretion of the Control Officer following the resolution of a fee dispute.
  - 2) The Permittee shall pay annual fees for a General Permit as specified in Rule 280. If fees are not paid within 30 days of annual billing, the facility is subject to delinquency fees as specified in Rule 280. Note: you will be notified by mail of any permit delinquency fees that are due and payable.
  - 3) If the applicant has paid the application processing fee, but does not qualify for coverage under this General Permit, and the ATO has not been issued, the application processing fee may be applied toward the individual source permit fee.
  - 4) Any disputes in the payment of the fees shall be submitted in writing to the Control Officer and required fees shall be paid regardless of the dispute, pending its resolution.
- F. Posting of a Permit.** The Permittee shall post a copy of the ATO at the covered facility in such a manner as to be clearly visible. A complete copy of the General Permit and the original ATO shall be kept on the site during the life of the permit.
- G. Property Rights.** This General Permit does not convey any property rights of any sort, or any exclusive privilege.
- H. Right to Entry and Inspection.** Upon presentation of credentials, the Permittee shall allow the Control Officer, or authorized representative, to enter the premises of the permitted facility to inspect equipment (including monitoring and *Control Devices*), practices, and operations regulated or required under this Permit. No claim of confidentiality for trade secrets or commercial information available to the Permittee under Section 49-487 of the Arizona Revised Statutes, or Rule 200 of the Maricopa County Air Pollution Control Regulations shall limit the scope of, or otherwise interfere with, an on-site inspection by a representative of the Control Officer. The inspection may include sampling, monitoring, photographing, and/or recording, at reasonable times, processes and/or equipment covered by this General Permit, for the purpose of assuring compliance with this Permit.
- I. Severability.** The provisions of this General Permit are severable and, if any provision of this General Permit is held invalid, the remainder of this General Permit shall remain valid.

## Section 5. Operational Requirements and Limitations

The Permittee shall ensure that authorized activities are conducted in accordance with the following conditions:

- A. Throughput.** The Permittee shall not allow the facility's *gasoline* throughputs to exceed any of the limits in the following table:

Controls	Maximum Monthly Limits	Rolling Twelve Month Limits
Uncontrolled (Non-resale)	10,000 gallons	120,000 gallons
Stage I Vapor Recovery	160,000 gallons	1,920,000 gallons
Stage I and II Vapor Recovery	740,000 gallons	8,880,000 gallons

The Rolling Twelve Month Limit shall include every period of twelve consecutive calendar months.

**B. Vapor Loss Control Equipment Requirements:**

All vapor loss control equipment listed below shall be installed as required, operated as recommended by the manufacturer, and maintained *Leak Free, Vapor Tight* and in good working order.

- 1) **Stage I Vapor Recovery System:** The source shall maintain and operate an *Approved Stage I Vapor Recovery System* installed as required by Rule 353 of the Maricopa County Air Pollution Control Regulations. No person shall transfer or permit the transfer of *Gasoline* from any *Delivery Vessel* into any stationary *Dispensing Tank* located above or below ground with a capacity of more than 250 gallons (946 liters) unless the following conditions are met:
  - a) **Submerged Fill Pipe:** Stationary *Dispensing Tanks* shall be equipped with a permanent Submerged Fill Pipe such that the end of the fill pipe is totally submerged when the liquid level is six inches (15 cm) from the bottom of the tank. For side-filled tanks, the end of the discharge pipe shall be totally submerged when the liquid level is no more than 18 inches (46 cm) from the bottom of the tank. Fill tubes shall be maintained and operated so that there is no obstruction of vapor passage from the tank to the *Delivery Vessel*.
  - b) **Vapor Recovery System:** The displaced *Gasoline Vapors* or gases shall be handled by an *Approved Stage I Vapor Recovery System*. Both the owner/operator of a vessel delivering *Gasoline* to a fuel *Dispensing Tank* equipped with vapor recovery, and the owner/operator of such a tank shall have the responsibility to assure that proper vapor recovery equipment is connected during every such delivery.

- c) Leakage Limits: Delivery operations are to be *Leak Free* and *Vapor Tight* and the *Gasoline* drainage from delivery hose disconnection shall not exceed 10 milliliters (1/3 ounce) per disconnect.
- 2) **Stage II Vapor Recovery.** If the facility is required to install a Stage II Vapor Recovery System pursuant to A.R.S. Title 41, Chapter 15, the Stage II Vapor Recovery System permit shall be obtained from the State of Arizona prior to operation of the facility.
- C. **Temporary Halting or Reducing of Activity.** The Permittee shall halt or reduce activities, if necessary, in order to maintain compliance with conditions of this General Permit.
- D. **Test Certification Decal on Delivery Vessels.** The owner/operator of a non-exempt fuel *Dispensing Tank* shall refuse delivery of *Gasoline* from a *Delivery Vessel* which does not bear a current pressure test certification decal issued by the Control Officer.

## Section 6. Recordkeeping Requirements

- A. **Throughput Recordkeeping.** The Permittee shall maintain records that show the monthly quantity of all Gasoline received by the facility, as well as each rolling 12-month total (i.e., last complete month plus the previous 11 months). The Permittee shall maintain records of emission inventory, excess emissions, and malfunction reports submitted to the Department.
- B. **Maintenance Recordkeeping.** The Permittee shall maintain records of any maintenance of the Stage I Vapor Recovery System.
- C. **Records Retention.** All records and reports required by this Permit shall be retained for the five years and shall be made available to the Control Officer upon request.

## Section 7. Reporting Requirements

- A. **Certification of Truth, Accuracy, and Completeness.** Any document required to be submitted by this General Permit, including reports, shall contain a certification by the facility owner or other responsible official, of truth, accuracy, and completeness. This certification and any other certification required under this part shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- B. **Emission Inventory:** If notified by the Control Officer, the Permittee shall submit an annual emissions inventory report to the Department, Air Quality Division, Attention: Air Quality Emissions Unit Manager, in accordance with Rule 100 of the Maricopa County Air Pollution Control Regulations. The report shall include the throughput and any excess emissions reported during the previous calendar year.

- C. Excess Emissions and Malfunction Reporting:** Any emissions in excess of the limits established by this General Permit, and/or any malfunction in equipment that results in an excess emission, shall be reported to the Control Officer within 24 hours of the time of Permittee's knowledge of such. The Permittee shall provide the Department, Air Quality Division, Attention: Air Quality Compliance Section Manager, a detailed written report within 72 hours of the initial notification. This report shall include at least the following:
- 1) Nature and cause of such spill and/or emissions;
  - 2) Steps taken to cease or limit the spill or emissions;
  - 3) Amount and duration of the excess emissions; and
  - 4) Date and time the excess emissions began, and when the excess emissions ceased.
- D. Duty to Provide Information.** As directed, the Permittee or applicant for an ATO shall furnish to the Department any information requested pursuant to this General Permit within a reasonable time period and manner as determined by the Control Officer. Failure to submit the requested information in a reasonable time period may lead to revocation of the ATO or denial of the application for an ATO under this General Permit. If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the application for an ATO, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts of corrected information.
- E. Emergency Reporting Provision.** An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, pursuant to Rule 100 of the Maricopa County Air Pollution Control Regulations. In the event of an emergency, the Permittee shall:
- 1) Immediately report to the Control Officer any accidental spill or excess emissions;
  - 2) Submit a notice of the emergency to the Control Officer by certified mail, facsimile or hand delivery within 2 working days of the time when emission limitations were exceeded due to an emergency. This notice shall contain:
    - a) A description of the nature and cause of the emergency;
    - b) Date the emergency occurred;
    - c) Duration of any excess emissions;
    - d) Corrective action taken; and
    - e) Any steps taken to mitigate excess emissions.

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Al Brown, MPA, RS  
Maricopa County Air Pollution Control Officer

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Issuance Date